

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

LOWELL W. THOMPSON,

Plaintiff,

vs.

**Case No.: 2:17-cv-721
JUDGE GEORGE C. SMITH
Magistrate Judge Vascura**

CHRISTOPHER J. BROWN, et al.,

Defendants.

ORDER

On August 21, 2017, the United States Magistrate Judge issued a *Report and Recommendation* recommending that Plaintiff's Application to Proceed In Forma Pauperis be denied and that he be granted thirty days to either pay the Court's filing fee or submit the proper documentation. (*See Report and Recommendation*, Doc. 2). On September 5, 2017, Plaintiff paid the filing fee. Therefore, the August 21, 2017 *Report and Recommendation* is now moot. The Magistrate Judge then conducted an initial screen and issued a second *Report and Recommendation*, recommending that the Court dismiss this case pursuant to § 1915(e)(2) for failure to state a claim upon which relief may be granted. (*See Report and Recommendation*, Doc. 4).

The parties were advised of their right to object to the *Report and Recommendation*. This matter is now before the Court on Plaintiff's Objections to the *Report and Recommendation*. (*See* Doc. 7). The Court will consider the matter *de novo*. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

The objections present the same issues considered by the Magistrate Judge in the *Report and Recommendation*. Plaintiff objects to the Magistrate Judge's dismissal of his case and continues to assert that Defendants conspired to violate his rights. However, he has not sufficiently pled a constitutional claim against them. Plaintiff's Complaint still fails to state a claim for relief that is plausible on its face. Therefore, for the reasons stated in the *Report and Recommendation*, this Court finds that Plaintiff's objections are without merit and are hereby **OVERRULED**.

The *Report and Recommendation*, Document 4, is **ADOPTED** and **AFFIRMED**. Plaintiff's Complaint is hereby **DISMISSED** for failure to state a claim.

The Clerk shall remove Documents 4 and 7 from the Court's pending motions list. The Clerk shall terminate this case.

IT IS SO ORDERED.

/s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT